

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS  
CRIMINAL APPEAL NO(s). 894 OF 2009

PERUMAL Appellant (s)

VERSUS

STATE OF T.NADU Respondent(s)

(With appln(s) for early hearing and office report)

Date: 14/05/2012 This Appeal was called on for hearing today.

CORAM :

HON'BLE DR. JUSTICE B.S. CHAUHAN  
HON'BLE MR. JUSTICE DIPAK MISRA  
(VACATION BENCH)

For Appellant(s) Mr. Balwan Singh Malik, Sr. Adv.  
Mr. S.D. Dwarakanath, Adv.  
for Dr. Kailash Chand, Adv.

For Respondent(s)  
Mr. B.Balaji, Adv.  
Mr. M. Anbalagan, Adv.

UPON hearing counsel the Court made the following  
O R D E R

The appeal is dismissed in terms of the signed order.

(DEEPAK MANSUKHANI) (M.S. NEGI)  
Court Master Court Master  
(The signed order is placed on the file)  
IN THE SUPREME COURT OF INDIA  
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO(s). 894 OF 2009

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STATE OF T.NADU Respondent(s)

O R D E R

This appeal has been preferred against the impugned judgment and order dated 12.1.2007 in Criminal Appeal No. 526 of 2005 passed by the High Court of Madras by which it has affirmed the conviction of the appellant under the provisions of Sections 450, 341, 324, 376(2) and 506(ii) IPC awarded by the Court of Session(Mahila Court), Chennai vide its judgment and order dated 25.5.2005 in Sessions Case No. 398 of 2004. However, the High Court, in the facts and circumstances of the case, has reduced punishment from life imprisonment to 10 years under the provisions of Section 376(2) IPC. In respect of

all other offences, the sentence awarded by the trial Court has been maintained.

We have heard Mr. Balwan Singh Malik, learned senior counsel appearing on behalf of the appellant and Mr. B. Balaji, learned counsel appearing on behalf of the respondent State.

We had been taken through both the judgments and the evidence on record. We do not see any cogent reason to interfere with the findings recorded by the Courts below as admittedly, the appellant along with other co-accused entered into the house of the prosecutrix after midnight and committed the offences. The prosecutrix had deposed that the appellant as well as other co-accused had committed the aforesaid offences including the rape. There is no reason to  
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disbelieve her. We do not see any cogent reason to interfere with the findings recorded by the Courts below.

The appeal is dismissed accordingly.

.....J.  
(Dr. B.S. CHAUHAN)

.....J.  
(DIPAK MISRA)

NEW DELHI  
MAY 14, 2012.